

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EXCALIBUR VIDEO, INC., SUSAN WATSON)
AND MICHELLE FENNELL,)
Plaintiff,) Court No.: 11 CV 1750
v.)
Judge George M. Marovich
VILLAGE OF MELROSE PARK, GREG SALVI,)
DETECTIVE JUAN AND UNKNOWN MELROSE) Magistrate Judge Arlander Keys
PARK POLICE OFFICERS,)
Defendants,)
JURY DEMANDED

DEFENDANTS' MOTION FOR ENTRY OF JUDGMENT

NOW COME the Defendants, VILLAGE OF MELROSE PARK ("Village"), GREG SALVI ("Salvi"), and DETECTIVE JUAN ("Juan"), by and through their attorney, Jennifer Simms of PURCELL & WARDROPE, CHTD., and moves this Honorable Court to enter judgment in their favor pursuant to Rule 54(a) of the Federal Rules of Civil Procedure. In support of their motion, the Defendants state as follows:

1. On May 16, 2013, this Honorable Court entered a Memorandum Opinion and Order on the parties' cross motions for summary judgment. See Document No. 120.
2. Summary judgment was granted in favor of the "Unknown Melrose Park Police Officers" as to Counts I, II and III of Plaintiff's Amended Complaint and they were dismissed from the lawsuit. See Document No. 120, pp. 16, 23. Therefore, the Village requests that judgment be entered in favor of the "Unknown Melrose Park Police Officers" on Counts I, II and III of Plaintiff's Amended Complaint pursuant to Rule 54(a) of the Federal Rules of Civil Procedure.

3. Summary judgment was also granted in favor of Defendant Juan on Counts I, II and III of the Amended Complaint and he was dismissed from the lawsuit. See Document No. 120, pp. 16-19, 21, 23. Therefore, Defendant Juan requests that judgment be entered in his favor on Counts I, II and III of the Amended Complaint pursuant to Rule 54(a) of the Federal Rules of Civil Procedure.

4. In addition, Summary judgment was granted in favor of Defendant Salvi as to Counts I and II of the Amended Complaint. See Document No. 120, pp. 18, 21, 23-24. Therefore, Defendant Salvi requests that judgment be entered in his favor on Counts II and III of the Amended Complaint pursuant to Rule 54(a) of the Federal Rules of Civil Procedure.

5. Additionally, summary judgment was granted in favor of the Defendant Village as to Count III of the Amended Complaint. See Document No. 120, pp. 21-24. Therefore, Defendant Village requests that judgment be entered in its favor on Count III of the Amended Complaint pursuant to Rule 54(a) of the Federal Rules of Civil Procedure.

6. Furthermore, Defendant Village moved for summary judgment on Counts IV and V of the Amended Complaint. See Document No. 83, pp. 22-29; Document No. 113, pp. 13-15. Plaintiffs also moved for summary judgment on Counts IV and V, which this Court denied and specifically found that Ordinance No. 837 (codified as Municipal Code 5.08) was constitutional. See Document No. 120, pp. 12-16. Therefore, Defendant Village requests that summary judgment be granted in its favor on Counts IV and V of the Amended Complaint pursuant to Rule 56(e) of the Federal Rules of Civil Procedures and Local Rule 56.1 of the Northern District of Illinois and that it be dismissed as a Defendant since no there are no other claims remaining against it. Furthermore, Defendant Village requests that judgment be entered in its favor on

Counts IV and V of the Amended Complaint pursuant to Rule 54(a) of the Federal Rules of Civil Procedure.

WHEREFORE, the Defendants, VILLAGE OF MELROSE PARK, GREG SALVI, and DETECTIVE JUAN, respectfully request that this Court enter judgment in their favor as set forth above pursuant to Rule 54(a) of the Federal Rules of Civil Procedure and for any and all relief this Honorable Court deems just and proper, including entry of summary judgment in favor of the VILLAGE OF MELROSE PARK on Counts IV and V of the Amended Complaint.

Respectfully submitted,

PURCELL & WARDROPE, CHTD.

s/ Jennifer E. Simms

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